

State of California  
The Resources Agency  
DEPARTMENT OF FISH AND GAME  
1416 Ninth Street  
Sacramento, California 95814

Inland Fisheries - Informational Leaflet No. 7

REGULATIONS GOVERNING CAPTURE, POSSESSION, TRANSPORTATION,  
AND SALE OF LIVE FRESHWATER FISH FOR BAIT <sup>1</sup>

**Annual License Required**

State laws requires a Live Freshwater Bait Fish License of all persons who, for profit, capture, possess, transport, or sell live freshwater fish, clams, or crayfish for bait. This license is not required for the possession and sale of dead bait.

Undesirable bait fishes found in surrounding states pose a menace to California's important fisheries resources. When they become established here, they compete for food with game and nongame fishes and prey on their eggs and young. The Department of Fish and Game spends large sums in efforts to eradicate such fishes already established here.

The purpose of the bait fish laws and regulations is to safeguard California's fisheries resources and, at the same time, permit the use of safe minnows and invertebrates.

In general, the use of minnows for bait is prohibited in all major trout areas.

In general, live fin fish must be obtained from registered aquaculturists. Exceptions, which may be obtained by commercial fishing, are longjaw mudsuckers, staghorn sculpins, yellowfin gobies, and certain Lake Tahoe resident species (see page 11, Section 200.29).

**How to apply for a Live Freshwater Bait Fish License**

New or renewal applications, together with the license fee, should be mailed to the Department of Fish and Game, License and Revenue Branch, 3211 "S" Street, Sacramento, CA 95816. The application will be forwarded to the appropriate region for approval. Please allow four to six weeks for processing. Applications may be obtained from the offices listed on the following page. For licensing information call (916) 227-2232.

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<sup>1</sup> Fisheries Programs Branch, September, 2001.

**Fish and Game Offices (and Counties Represented)**

<b>NORTHERN CALIFORNIA &amp; NORTH COAST REGION</b>		<b>SACRAMENTO VALLEY &amp; CENTRAL SIERRA REGION</b>		<b>CENTRAL COAST REGION</b>	
<b>601 Locust Street Redding, CA 96001 (916) 225-2300</b>		<b>1701 Nimbus Road Rancho Cordova, CA 95670 (916) 358-2900</b>		<b>7329 Silverado Road Napa, CA 94558 (707) 944-5500</b>	
Del Norte Humboldt Lassen Modoc	Shasta Siskiyou Tehama Trinity	Alpine Amador Butte Calaveras	Plumas Sacramento San Joaquin Sierra	Alameda Contra Costa Lake	San Benito San Francisco San Luis
<b>SAN JOAQUIN VALLEY &amp; SOUTHERN SIERRA REGION</b>		Colusa El Dorado Glenn Nevada Placer	Solano Sutter Yolo Yuba	Marin Mendocino Monterey Napa	Obispo San Mateo Santa Clara Santa Cruz
<b>1234 East Shaw Avenue Fresno, CA 93710 (209) 243-4005</b>					
Fresno Kern Kings Madera Mariposa	Merced Stanislaus Tulare Tuolumne	<b>SOUTH COAST REGION</b>		<b>EASTERN SIERRA &amp; INLAND DESERTS REGION</b>	
		<b>4949 View Ridge Ave San Diego, CA 92123 (619) 467-4201</b>		<b>4775 Bird Farm Road Chino Hills, CA 91709 (909) 597-9823</b>	
<b><u>LICENSES AND REVENUE BRANCH</u></b>		Los Angeles Orange San Diego	Santa Barbara Ventura	Imperial Inyo Mono	Riverside San Bernardino
<b>3211 S Street Sacramento, CA 95816 (916) 227-2232</b>					

### **Special Regulations Regarding the Commercial Take of Crayfish for Bait.**

In addition to the Live Freshwater Bait Fish License, a special permit is required for the commercial take of crayfish for bait. For regulations concerning commercial crayfish fishing and an application for the permit, request a copy of Informational Leaflet No. 31. It is available at Department Headquarters, 1416 Ninth Street, Sacramento, 95814, or any of the regional offices listed above (page 2).

### **Importation of Live Bait Fish.**

**Permits Required.** An Importation Permit is needed to import live aquatic plants or animals into California. The application for an Importation Permit must reach the Department at least 10 working days in advance of the arrival date of the shipment.

**Disease Inspection.** All live, freshwater fish and other aquatic animals brought into California, whether wild-caught or produced by aquaculturist, may be inspected by the Department for diseases and parasites. The inspections may take place at the border or at locations with suitable facilities for holding and sorting live bait. The importer must pay inspection costs (salary and travel expenses of the inspector while on the inspection) and is responsible for providing facilities for inspecting and sorting the animals.

For regulations concerning the importation of live freshwater fish and the applications and procedures for obtaining permits, ask for a copy of Inland Fisheries Informational Leaflet No. 36. It is available at Department Headquarters or any one of the six regional offices.

### **What species may be approved on a Live Freshwater Bait Fish License?**

Limitations on species are provided by Section 200.13 of Title 14, California Code of Regulations, which states that "...a live freshwater bait fish licensee may possess or sell only those legally acquired bait species approved for use by sport fishermen in the sport fishing district or portion of sport fishing district in which the licensee is located (see sections 4.10 through 4.30)...". Consult these sections, which are presented verbatim in the Appendix of this leaflet, for further information. Also, the following table (pages 5 and 6) lists all bait fish species approved for live use in California, by area where they are approved. No other bait fish species may be transported or sold under the provisions of a Live Freshwater Bait Fish License.

## MAP OF CALIFORNIA SHOWING THE REGULATION DISTRICTS

SUMMARY OF SECTIONS 4.10-4.30  
(SPECIES ALLOWED FOR LIVE BAIT USE IN INLAND CALIFORNIA WATERS, BY REGULATION DISTRICT)

SPECIES	SOUTHERN DISTRICT	COLORADO RIVER DISTRICT	VALLEY AND SOUTH CENTRAL DISTRICTS *	NORTH CENTRAL DISTRICT**	SIERRA AND NORTH COAST DISTRICTS
golden shiner	Prohibited, except in San Diego County	OK	OK*	OK**	Prohibited, except in Shasta Lake
red shiner	Prohibited, except in San Diego County	OK	Prohibited, except in the Valley District north of I-580 and Hwy 132	OK**	Prohibited, except in Shasta Lake
fathead minnow	Prohibited	OK	OK*	OK**	Prohibited, except in Shasta Lake
mosquitofish	Prohibited	OK	OK*	OK**	Prohibited, except in Shasta Lake
longjaw mudsucker	OK	OK	OK*	OK**	Prohibited
threadfin shad	Only at the location where taken	OK	Only at the location where taken	Only at the location where taken	Prohibited, except in Shasta Lake
Mississippi silverside	Prohibited	Prohibited	Only at the location where taken	Only at the location where taken	Prohibited
lamprey	Prohibited	Prohibited	Only at the location where taken	Only at the location where taken	Prohibited
staghorn sculpin	Prohibited	Prohibited	OK*	OK**	Prohibited
yellowfin goby	Prohibited in all inland waters, except in the in the lower Feather, Yuba, San Joaquin and Sacramento rivers and the delta (see subsection (a) (4) of Section 4.20 for specific boundaries of this area) . Also, in this area, anglers may use, in the water where taken, any other species except trout and salmon obtained by angling or other approved bait fish capture methods.				
SPECIES	SOUTHERN DISTRICT	COLORADO RIVER DISTRICT	VALLEY AND SOUTH CENTRAL DISTRICTS	NORTH CENTRAL DISTRICT	SIERRA AND NORTH COAST DISTRICTS

carp	Prohibited	Only at the location where taken	Prohibited	Prohibited	Prohibited
goldfish	Prohibited	OK	Prohibited	Prohibited	Prohibited
sunfish	Prohibited	OK	Prohibited	Prohibited	Prohibited
molly	Prohibited	OK	Prohibited	Prohibited	Prohibited
sargo	Prohibited	OK	Prohibited	Prohibited	Prohibited
bairdiella	Prohibited	OK	Prohibited	Prohibited	Prohibited
tilapia	Prohibited in all inland waters, except (1) in the Salton Sea within the area bounded by Highway 111 on the north and east and Highway 86 on the west and south, and (2) in the Colorado River and its backwaters within the area bounded by Palo Verde Diversion Dam south to the Morales Dam				
Lahontan redbreast, tui chub, Tahoe sucker, Lahontan speckled dace, mountain sucker and Paiute sculpin	These species are prohibited, except that in Donner, Fallen Leaf and Tahoe lakes, they may be used in the same lake where taken.				
crayfish	OK in all inland waters, except prohibited in the Pit River and all tributaries between Pit 3 Dam (Lake Britton) and the Fall River-Cassel Road Bridge at Fall River Mills, California (includes Hat Creek and Fall River and their tributaries).				
waterdogs	Use of waterdogs and other salamanders for bait is prohibited Statewide.				

\* No live fin fish may be used for bait in Keller Lake (Glenn County), Letts Lake (Colusa County), Merced Lake (San Francisco County), Upper and Lower Plaskett Meadow Ponds (Glenn County), and Whale Rock Reservoir (San Luis Obispo County)

\*\* No live fin fish may be used in Stafford Lake (Marin County), the Eel River and its tributaries, or in any body of water in Mendocino County except Lake Mendocino.

### **Fish and Game Code Sections Regarding the Commercial Use of Live Bait**

**8460.** Any person engaged for profit in the taking, transporting, or selling of live freshwater fish for bait shall first obtain from the Department a live freshwater bait fish license to possess such fish for such purposes. The Commission may prescribe regulations governing such licenses.

A license shall be issued for a calendar year, or, if issued after the beginning of such term, for the remainder thereof, and may be revoked for a violation of the terms thereof.

Such a license is not required for the raising, possession, or sale of live freshwater fish for bait under authority of Division 12 (commencing with Section 15000).

The provisions of this code on commercial fishing, packing, or processing licenses, on reports by person engaged in the commercial fish industry, and on statements required by owners or operators of fishing boats, shall not apply to the taking, transporting, or selling of live freshwater fish for bait.

**8461.** The annual license fee for a live freshwater bait fish license is fifty-five dollars (\$55) for each person.

**8462.** A license issued under section 8460 shall authorize the taking of golden shiner, fathead minnows and such other species as the Department may designate, under such regulations as the commission may prescribe. The Commission may prohibit in any part or all parts of the State the possession alive of any species of fish which it considers a potential threat to the fisheries of the State by reason of possible escape and establishment.

**8463.** Traps not over 24 inches in greatest length not more than 12 inches in greatest depth or width, or seines of not over ½-inch mesh stretched measure and not more than 4 x 30 feet in size, may be used for the taking of fish of the carp and minnow family (family Cyprinidae), suckers (family Catostomidae), sculpins (family Cottidae), or mosquitofish (genus Gambusia). Such traps may be used only in lakes and impounded waters. Such seines may be used only in lakes, impounded waters, and conduits.

Fish taken as provided in this section may be sold only as bait. Fish other than those named in this section that may be taken in such traps or seines shall be released and returned unharmed to the water wherein.

**8475.** Notwithstanding Section 200, the Commission shall regulate the taking of freshwater clams for commercial purposes.

**8490.** No crayfish taken from Lake Tahoe or the Tahoe lake basin may be sold or purchased.

**8491.** The taking of crayfish shall be subject to such regulations as the commission may prescribe.

#### **9020. Bait-fish traps.**

(a) Subject to Section 8400, California killifish (*fundulus parvipinnis*), mudsuckers (*Gillichthys mirabilis*), yellowfin gobies (*Acanthogobius flavimanus*), shiner perch (*Cymatogaster aggregata*), and staghorn sculpin (*Leptocottus armatus*), may be taken with baitfish traps under a general trap permit issued pursuant to Section 9001.

(b) A baitfish trap shall not exceed 12 inches in width, 12 inches in height, and 36 inches in greatest length with entrance at small ends of funnels or fykes not to exceed 2 inches in diameter.

#### **9022. Fin fish traps.**

(a) Notwithstanding Section 9000, traps used to take fin fish may not be used in Districts 10, 11, and 12, except for bait fish traps as provided for in Sections 8400 and 9020.

(b) Except as otherwise provided in subdivision (a), all marine species of fin fish subject to Section 8403 may be taken with one or more fin fish traps as prescribed by the commission under a general trap permit issued pursuant to Section 9001.

**9023. Carp traps.** Traps may be used throughout the year to take carp in any district under the following restrictions:

Traps shall not exceed six feet in greatest dimension. They shall be made of cotton or nylon twine. Meshes shall not be less than three and one-half inches in length, except that fyke and bait bags may be any size mesh. Traps shall have only a single vertical fyke opening at the top of the trap. They shall be baited only with grain or grain products. Fish other than carp taken in traps subject to this section shall be immediately returned to the water.

**9024. Crayfish traps.** Crayfish traps may be used at anytime in any district to take crayfish only. Traps shall not exceed three feet in greatest dimension. Any other species taken with crayfish traps shall be returned to the water immediately. The Commission may prohibit the use of crayfish traps which will injure fish or which will entrap

unnecessarily large numbers of fish other than crayfish.

#### **Title 14, CCR, Regulations Regarding the Use of Bait**

##### **4.00. Bait-General.**

Legally acquired and possessed invertebrates, mollusks, crustaceans, amphibians (see Chapter 5 for protected amphibians), fish eggs and treated and processed foods may be used for bait, except:

- (a) See Section 5.35 for restrictions on crayfish;
- (b) See Section 7.50(b)(74) for restriction on bait collecting on Hat Creek;
- (c) No trout may be maintained or possessed in a live condition in any container on or attached to any boat;
- (d) Except for restrictions listed under special regulations, dead ocean fish may be used as bait statewide. This section supersedes the provisions of sections 4.10, 4.15, 4.20, 4.25 and 4.30; and
- (e) No salamander may be used as bait.

##### **4.10. Bait Fish Use in the Southern District.**

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Southern District:

- (a) Dead threadfin shad and live or dead longjaw mudsucker may be used in all Southern District waters.
- (b) Live threadfin shad may be used only at the location where taken.
- (c) Golden shiner and red shiner may be used in San Diego County.

##### **4.15. Bait Fish Use in the Colorado River District.**

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Colorado River District:

- (a) Live or dead golden shiner, fathead minnow, red shiner, mosquitofish, longjaw mudsucker, threadfin shad, goldfish, sunfish, molly, sargo and bairdiella, and dead carp may be used in all Colorado River District waters.
- (b) Live carp may be used only at the location where taken.
- (c) Tilapia may be used in the Salton Sea, and may be taken for bait only within the area bounded by Highway 111 on the north and east and Highway 86 on the west and south (except as in (4) below).
- (d) Tilapia may be taken and used for bait in the Colorado River and its associated backwaters only within the area bounded by Palo Verde Diversion Dam south to the Morales Dam.

##### **4.20. Bait Fish Use in the Valley and South Central Districts.**

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Valley or South Central District:

- (a) Live or dead golden shiner, fathead minnow, mosquitofish, longjaw mudsucker and staghorn sculpin; and dead threadfin shad, Mississippi silverside and lamprey may be used in all Valley and South Central District waters except those listed in subsection (a)(6) below.
- (b) Red shiner may be used only in the Valley District north of Interstate 580 and Highway 132.
- (c) Yellowfin gobies may be used in the Valley District only in those areas described in subsections (d) (1)-(3) below.
- (d) In addition, except for trout and salmon, fin fish lawfully taken in the following waters by angling or with bait fish methods approved in Section 4.05 may be used only in the waters where taken:
  - (1) Carquinez Strait and Suisun Bay and their tributaries and saltwater tributaries.
  - (2) Sacramento River and tidewater of tributaries downstream from the Highway 32 bridge near Hamilton City, Feather River downstream from the Oroville Hatchery Fish Barrier Dam, Yuba River downstream from Daguerre Point Dam, and American River downstream from Nimbus Dam.
  - (3) San Joaquin River and tidewater of tributaries downstream from Interstate 5 bridge.
- (e) Live threadfin shad, Mississippi silverside and lamprey may be used only at the location where taken.
- (f) Fin fish may not be used in Keller Lake (Glenn Co.), Letts Lake (Colusa Co.), Merced Lake (San Francisco Co.), Upper and Lower Plaskett Meadow Ponds (Glenn Co.), Whale Rock Reservoir (San Luis Obispo Co.).

##### **4.25. Bait Fish Use in the North Central District.**

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the North Central District:

- (a) Golden shiner, fathead minnow, red shiner, mosquitofish, longjaw mudsucker and staghorn sculpin may be used in Napa and Sonoma counties, in Marin County except for Stafford Lake, in Lake County except for the Eel River and its tributaries, and in Lake Mendocino (Mendocino Co.).
- (b) Live threadfin shad, Mississippi silverside and lamprey may be used only at the location where taken.

#### 4.30. Bait Fish Use in the Sierra and North Coast Districts.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Sierra and North Coast Districts.

- (a) In Donner, Fallen Leaf and Tahoe lakes Lahontan redbside, tui chub, Tahoe sucker, Lahontan speckled dace, mountain sucker and Paiute sculpin may be used only in the same lake where taken.
- (b) In Shasta Lake only golden shiner, red shiner, fathead minnows, mosquitofish and threadfin shad may be used or possessed for use as bait.
- (c) Crayfish shall not be used for bait in the Pit River and all tributaries between Pit 3 Dam (Lake Britton) and the Fall River-Cassel Road Bridge at Fall River Mills, California (includes Hat Creek and Fall River and their tributaries).

#### 5.20. Clams, Freshwater.

- (a) Open season: All year, except for closures listed under special regulations.
- (b) Limit: Fifty pounds (in the shell).
- (c) Methods of take: Freshwater clams may be taken only by hand, or by spade, shovel, hoe, rake or other appliance operated by hand.

#### 5.35. Crayfish.

- (a) Open season: All year, except for closures listed in subsection (d) of this Section.
- (b) Limit: No limit.
- (c) Methods of take: Crayfish may be taken only by hand, hook and line, dip net or with traps not over three feet in greatest dimension. Any other species taken shall be returned to the water immediately. Traps need not be closely attended.
- (d) Closures for Protection of Shasta Crayfish: Fall River upstream of Spring Creek Bridge, Lava Creek, Tule River and all connected waters upstream of Little Tule River, Sucker Springs Creek, Crystal Lake, Rising River and Rising River Lake are closed to take and possession of crayfish. (See Section 4.30 for prohibition against crayfish use for bait in sections of the Pit River).
- (e) The season closures in Chapter 3 (District Trout and Salmon Special Regulations) do not apply to crayfish fishing by hand or with traps (see sections 7.00 and 7.50(a)(1)).

#### 5.40. Lamprey.

- (a) Open season: All year, except for closures listed under special regulations.
- (b) Limit: No limit.
- (c) Methods of take: Lamprey may be taken only by hand, hook, spear, bow and arrow fishing tackle, dip net or traps not over three feet in greatest dimension. Any other species taken shall be returned to the water immediately. Traps need not be closely attended.

#### Trout and Salmon Regulation for Hat Creek, subsection (b)(74) of Section 7.50:

<b>(74) Hat Creek (Shasta Co.)</b> from Lake Britton upstream to Baum Lake, exclusive of the concrete Hat No. 2 intake canal between Baum Lake and the Hat No. 2 Powerhouse.	Season: Last Saturday in Apr. through Nov. 15. Minimum size limit: 18 inches total length. Only artificial lures with barbless hooks may be used. <b>Aquatic invertebrates of the orders Plecoptera (stoneflies), Ephemeroptera (mayflies) and Trichoptera (caddisflies) may not be taken or possessed.</b>	Bag limit: 2
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#### 200. Application Procedure for Live Freshwater Bait Fish License.

Application for live freshwater bait fish license shall be made on the departmental form and submitted with the statutory fee to one of the department's regional offices (Redding, Rancho Cordova, Yountville, Fresno and Long Beach).

#### 200.10. Sale and Transfer of Live Freshwater Bait Fish License.

Live freshwater bait fish licenses shall not be resold or transferred.

#### 200.12. Live Freshwater Bait Fish License for Retail Live Bait Outlets.

A live freshwater bait fish license is required for each live bait outlet and the specific location must be shown on the

license. Such license is required in order to possess or sell live freshwater fin fish, live waterdogs (as defined in subsection 200.31(c)) and live freshwater crayfish for use as bait in inland waters.

**200.13. Species Which Live Freshwater Bait Fish Licensees May Possess or Sell.**

Except as provided below, a live freshwater bait fish licensee may possess or sell live only those legally acquired bait species approved for use by sport fishermen in the sport fishing district or portions of sport fishing district in which the licensee is located (see sections 4.10 through 4.30). Licensees located in districts adjacent to ocean waters and within five miles of ocean waters may possess and sell live bait species which may be used in ocean districts. Bait fish licensees located within a one-mile wide land zone around Lake Tahoe may possess and sell only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe. Such fish shall not be transported from this Lake Tahoe zone.

**200.29. Sources of Live Freshwater Bait Fish for Commercial Purposes.**

(a) Sources of live fin fish for bait are limited to the following:

- (1) Fish reared by a registered aquaculturist.
- (2) The following species taken under the authority of a commercial fishing license:
  - (A) Longjaw mudsucker (*Gillichthys mirabilis*)
  - (B) Staghorn sculpin (*Leptocottus armatus*)
  - (C) Yellowfin gobies

(3) Bait fish licensees located within a one-mile wide landzone around Lake Tahoe may take from Lake Tahoe only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe.

(b) Freshwater clams and freshwater crayfish for live bait purposes may be taken only under the authority of a live freshwater bait fish license. Crayfish taken for live bait purposes shall be taken pursuant to Section 116, Title 14, CAC.

(c) Sources of live waterdogs for bait are limited to the following:

- (1) Waterdogs reared by registered aquaculturists.
- (2) Waterdogs imported from any other state.
- (3) Waterdogs may not be taken from the wild for commercial or bait purposes in California except with written authorization from the Department.

**200.31. Species Prohibited for the Purpose of Commercial Bait Sales.**

The following species are prohibited for the purpose of commercial bait sales:

- (a) Yellowfin gobies, except that yellowfin gobies may be sold as bait only in those areas within the Valley District described in Section 4.20 (a) (4) (A), (B) and (C) of these regulations.
- (b) Tilapia, except that tilapia may be sold as bait only in that area of the Colorado River District bounded by Highway 111 on the north and east and Highway 86 on the west and south.
- (c) Salamanders, except for waterdogs (exotic subspecies of the tiger salamander, *Ambystoma tigrinum* ssp.). No waterdogs 3 inches or less in length may be sold as bait.